

Probate Notes for August 9, 2007

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to continue a matter, contact the civil division at (530) 406-6704. If you wish to have your petition preapproved, contact the probate examiner at (530) 406-6718 between the hours of 2 p.m. and 4 p.m.

Case: Estate of Bowlsbey
Case No. CV PB 76-14692

It is recommended to approve the 25th account and report of trustee and to grant the petition for its settlement, and for attorney's fees and costs.

Case: Estate of Simon
Case No. CV PB 07-146

If proof of publication is filed, it is recommended to grant the petition to administer the estate.

Case: Estate of Stanley Tamura
Case No. CV PB 01-160

The Second Amended Accounting does not balance. The accounting attached is confusing, and not in the form of a proper accounting. (See Rutter California Practice Guide, Probate, pages 16-236 to 16-237; Prob. Code § 1060-1064)

1. The petition, page 3, Summary of Account, states Disbursements total \$84,301.47. This number could not be located anywhere in the attached accounting.
2. The "Total Costs of Administration" (actually disbursements) (Accounting, p. 4 of 5) should include creditor's claims, so that the correct total is \$85,625.21.
3. The petition, page 3, Summary of Account, states Property on Hand at Close of \$245,933.05. This number could not be located anywhere in the attached accounting.

Even with the corrections noted above, the credits do not balance the charges.

Case: In the Matter of the Worden Trusts
Case No. CV P2 07-142

It is recommended to grant the petition to modify and terminate irrevocable trusts.